GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:5410
ANSWERED ON:30.04.2002
AMENDMENT OF CONSTITUTION FOR REGIONAL RESERVATION
C. SREENIVAASAN;R.L. JALAPPA

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether some State Governments have forwarded detailed proposals regarding amendment of constitution for providing reservation in the field of education and employment based on regional consideration;

(b) if so, the details thereof, State-wise; and

(c) the reaction of the Union Government thereto?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (PROF. RITA VERMA)

(a) to (c) : Details of the proposals received from the State Governments in this regard are given in the Annexure.

ANNEXURE

ANNEXURE REFERRED TO IN REPLY OF PARTS (a) TO (c) OF THE LOK SABHA UNSTARRED QUESTION NO. 5410 FOR 30.04.2002 BY SHRI R.L. JALAPPA AND SHRI C. SREENIVASAN REGARDING AMENDMENT OF CONSTITUTION FOR REGIONAL RESERVATION

1. Government of Tamil Nadu had sent the "Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of Seats in Educational Institutions and of appointments or Posts in the Services under the State) Bill, 1993" to the Government of India for consideration of the President in terms of Article 31-C of the Constitution.

- The State Government had forwarded the Tamil Nadu Act (No. 45 of 1994), after it became law, to the Government of India for inclusion of the said Act in the Ninth Schedule of the Constitution of India so as to enable to the Government of Tamil Nadu to continue 69% reservation in Government services and for admissions in educational institutions in favour of SCs, STs and OBCs. The Hon'ble President had given his assent on 19th July, 1994 and it was conveyed to the State Government on the same date.

- The validity of the Tamil Nadu Act (No.45 of 1994) has been challenged in the Hon'ble Supreme Court of India in a Writ Petition No. 454/1994 on 27th July, 1994 and the matter is sub- judice in the Apex Court.

2. Government of Andhra Pradesh had sent the "Andhra Pradesh Scheduled Castes (Rationalization of Reservation) Ordinance, 1998" to Provide for rationalization of reservation to Scheduled Castes in Public Services and seats in educational institutions to ensure their unified and uniform progress in the society and for matters connected therewith and incidental thereto, for obtaining the assent of the Hon'ble President under the proviso to clause (1) of Article 213 of the Constitution of India. The same was conveyed to the State Government in November, 1999.

3. Government of Karnataka has sent a proposal to amend the Constitution for providing regional reservation in Karnataka in the field of education, employment etc., under Article 371 of the Constitution. The State Government has been asked for certain clarifications on their proposal. The Government of Karnataka has informed in March, 2002 that the information and details sought by the Government of India are being obtained and will be furnished shortly.